



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,818	08/06/2001	Eun Sam Kim	2080-3-31	8857

35884 7590 11/25/2005

LEE, HONG, DEGERMAN, KANG & SCHMADEKA, P.C.
801 SOUTH FIQUEROA STREET
14TH FLOOR
LOS ANGELES, CA 90017

EXAMINER

SHIBRU, HELEN

ART UNIT	PAPER NUMBER
----------	--------------

2616

DATE MAILED: 11/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/922,818

Applicant(s)

KIM, EUN SAM

Examiner

HELEN SHIBRU

Art Unit

2616

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 06 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Drawings

1. Figures 1, 4-5 are objected to under 37 CFR 1.83(a) because they fail to show the steps and numbers designated to the blocks as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2616

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-9, 11-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Skelley (US Pat. No. 6,795,638).

Regarding claim 1, Skelley discloses a method for editing a digital broadcasting material, the method comprising the steps of:

clipping segments from the digital broadcasting material consisting of program segments and being recorded in a recording medium in a stream type (see col. 4 lines 48-62, col. 5 line 52-col. 6 line 3);

recording the clipped segments as new programs, respectively (col. 5 line 64-col. 6 line 10 and lines 31-33) ; and

selecting some of the recorded programs, and merging the selected programs into a new program (see col. 6 lines 25-31 and col. 7 lines 46-54),

wherein the step for clipping the segments comprises the steps of:

reproducing the digital broadcasting material (see col. 6 lines 23-31); and

selecting a predetermined period of the digital broadcasting material, by designating a start point and an end point thereof (see col. 5 lines 43-65, col. 6 lines 28-31 and col. 7 lines 14-22).

Regarding claim 3, Skelley discloses the full streams of the digital broadcasting material are reproduced (see col. 4 lines 48-62 and col. 6 lines 23-26).

Regarding claim 4, Skelley discloses the digital broadcasting material is reproduced at intervals of a predetermined length (see col. 4 lines 34-62 and col. 5 lines 43-51).

Regarding claim 5, Skelley discloses a representative screen of the digital broadcasting material is reproduced (see col. 5 line 51-col. 6 line 3).

Regarding claim 7, Skelley discloses the step for selecting some of the recorded programs, and merging the selected programs into the new program comprises a step for recording a screen relating to the merged program (see col. 5 lines 37-51).

Regarding claim 8, Skelley discloses a method for editing a program in a personal video recording system, the method comprising the steps of:

reproducing a program recorded by the user (see col. 4 lines 48-62);

clipping a predetermined period of the reproduced program, by selecting a start point and an end point (see col. 5 lines 22-30 and 43-51); and

recording the respective clipped segments (see col. 5 line 66-col. 6 line 3 and lines 31-34).

Regarding claim 9, Skelley discloses the recorded program is a broadcasting program recorded in a hard disk (see col. 3 line 62-col. 4 line 10 and 57-62, and col. 9 lines 28-41).

Regarding claim 11, Skelley discloses the full streams of the digital broadcasting material are reproduced (see col. 4 lines 34-62 col. 6 lines 20-26).

Regarding claim 12, Skelley discloses the digital broadcasting material is reproduced at intervals of a predetermined length (see col. 5 lines 31-37).

Regarding claim 13, Skelley discloses a representative screen of the digital broadcasting material is reproduced (see col. 5 line 51-col. 6 line 3).

Regarding claim 14, Skelley discloses a method for editing a program in a personal video recording system, comprising the steps of:

reproducing a recorded program (see col. 4 lines 48-62);
clipping predetermined streams from the reproduced program, by selecting a start point and an end point (see col. 5 lines 22-30 and 43-51);
merging the clipped streams (see col. 6 lines 26-30, col. 5 lines 51-66, col. 9 lines 45-55),
and
recording the merged streams as a new program (see col. 5 lines 51-58).

Regarding claim 15, Skelley discloses the step for merging the clipped streams designates an order of the clipped streams, and merges the streams in the designated order (see col. 5 line 51-col. 6 line 3 and col. 9 lines 45-55).

Regarding claim 16, Skelley discloses the step for merging the clipped streams merges a representative screen of the clipped streams (see fig. 9 and col. 5 lines 43-51).

Regarding claims 17-19, these claims are rejected for the same reason as discussed above in claims 3-5 respectively.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skelley in view of Escobar (US Pat. No. 5,659,793).

Regarding claim 2, claim 2 differs from Skelley in that the claim further requires the digital broadcasting material is provided in a multiple number. Although Skelley does not specifically teach that the materials are provided in a multiple number, Skelley teaches the event database includes different event types (see col. 5 lines 43-48). Skelley also discloses related events can be added to the database from another source (see col. 5 lines 48-51).

In the same field of endeavor Escobar discloses the video assets are marked as beginning and ending point (see col. 11 line 61-col. 12 line 4). Escobar further discloses the assets are originated from different channels (see fig. 7 and col. 12 lines 4-5). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Skelley by providing broadcasting material in multiple number in order to retrieve objects from different server.

Claims 10 and 20 are rejected for the same reason as discussed in claim 2 above.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mills (US Pat. No. 5,237,648) discloses creating a clip from the mass storage with a start and end point.

Abe (US pat. No. 6,404,978) discloses an editing system for a program to be broadcasted with time line.

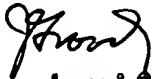
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571) 272-7329.

The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAMES J. GROODY can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Helen Shibru
November 18, 2005


James J. Groody
Supervisory Patent Examiner
Art Unit 262 2616